

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LERIN PIERCE,

Plaintiff,

**NOTICE OF MOTION**

16 CV 5703 (BMC)(RLM)

-against-

CITY OF NEW YORK, et al.,

Defendant.  
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**PLEASE TAKE NOTICE** that upon the annexed Memorandum of Law, all prior pleadings, and proceedings had herein, defendants City of New York, Police Office Sonia Belardo, Police Officer Zeeshan Taqi, and Sergeant Ivan Mercado will move this Court, before the Honorable Brian M. Cogan, United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York, on May 24, 2016, or such other date and time as may be determined by the Court, for orders granting the following motions *in limine*:

- (1) Amended the caption to remove City of New York and P.O. John Does 1-3;
- (2) Prevented plaintiff from offering any evidence that defense counsel are City attorneys and that the City may indemnify the officers;
- (3) Precluded plaintiff from requesting a specific dollar amount from the jury;
- (4) Precluded plaintiff from eliciting evidence of disciplinary histories;
- (5) Precluded Plaintiff from mentioning unrelated claims of officer misconduct;
- (6) Precluded plaintiff from introducing evidence of the Internal Affairs Bureau (“IAB”) investigation into the underlying incident;

(7) Precluded plaintiff from testifying as to his medical diagnosis and as to causation of any alleged injuries;

(8) Limit the testimony of Plaintiff's treating physicians to treatment and not causation;

(9) Precluded plaintiff from making arguments and offering evidence related to dismissed claims;

(10) Plaintiff should be precluded from using testimony of Sergeant Ming, Ahsin Rafique, and documents produced after close of discovery;

(11) Defendants should be permitted to cross-examine plaintiff regarding his arrest history and the criminal proceedings related to the underlying incident; and

(12) Any such other relief as the Court deems just and proper.

Dated: New York, New York  
May 24, 2017

ZACHARY W. CARTER  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants City of New York, Belardo,  
Taqi, and Mercado*  
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By: \_\_\_\_\_/s  
Valerie E. Smith

TO: All Counsel (by ECF)